

**From:** Art Isbell  
**To:** Microsoft ATR  
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**Subject:** Proposed Microsoft settlement

The proposed settlement of class-action claims of price-gouging by Microsoft wreaks of yet another Microsoft marketing scam that will further Microsoft's incursion into the education market, one of the few markets that Microsoft's only small computer systems competitor, Apple Computer, has a foothold. This will likely exacerbate Microsoft's monopoly which is the underlying problem that resulted in the class-action claims in the first place.

Beneficiaries of this settlement proposal, poor schools, will then be saddled with computer systems and software whose cost of ownership is known to be higher than that of Apple computer systems and software. These schools are the least able to afford these unnecessary expenses.

Many school systems already have Apple computers, so delivering incompatible computers and software to these schools will result in additional expenses and hardships.

Microsoft values its settlement based on the retail price of its software whereas the incremental cost of the software it proposes to deliver will be almost nothing. So in punitive terms, this settlement is not fair.

A much more reasonable settlement would be grants of \$1.1B cash made by Microsoft to the 14,000 poorest school districts with these grants earmarked to buy computers and software. This would allow the school districts to determine the best computers and software for their particular situations.

I urge you to reject the proposed settlement as it stands.

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